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Attorney for Defendant
WALTER SMITH

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:23-CR-0112-DJC
Plaintiff,)	
vs.)	STIPULATION AND ORDER SCHEDULING
WALTER SMITH,)	PRETRIAL MOTIONS, CONTINUING
Defendant.)	STATUS CONFERENCE, AND
)	EXCLUDING TIME (amended)
)	
)	Judge: Hon. Daniel J. Calabretta
)	Date: August 22, 2024
)	Time: 9:00 a.m.

Plaintiff, United States of America, and defendant, Walter Smith, hereby stipulate to the following schedule for briefing and hearing of pretrial motions, and for an order excluding time under the Speedy Trial Act. The parties agree that the status conference scheduled for August 22 may be vacated in light of this proposed schedule.

All motions required to be filed under Fed. R. Crim. P. 12 are due by October 17, 2024.

Responsive briefs are due October 31.

Reply briefs due by November 21.

Hearing on motions will be December 12, 2024.

The defense's review of discovery from Mr. Smith's electronic devices and other sources is ongoing, as is factual and legal research on issues posed by the case and the underlying

1 investigation. The parties therefore agree, and request, that the Court should exclude time under
2 the Speedy Trial Act from the date of this order through December 12, 2024, pursuant to 18
3 U.S.C. section 3161(h)(7)(A) and (B)(iv) (Local Code T4). The parties agree that the period of
4 delay results from a continuance granted at the request of the defense and that the ends of justice
5 served by taking such action outweigh the best interest of the public and the defendant in a
6 speedy trial. The parties further recognize that time will be automatically excluded upon the
7 filing of motions. *See* 18 U.S.C. § 3161(h)(1)(D)(Local Code E).

8 Respectfully Submitted,

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10 Dated: August 19, 2024

/s/ Tim Zindel
TIMOTHY ZINDEL
Attorney for WALTER SMITH

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13 PHILLIP A. TALBERT
United States Attorney

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15 Dated: August 19, 2024

/s/ T. Zindel for R. Yang
ROGER YANG
Assistant U.S. Attorney

ORDER

The above schedule is adopted. The August 22nd status conference is continued to December 12th, at 9:00 a.m., at which time motions will be heard. Time under the Speedy Trial Act is excluded through December 12, 2024, for the reason set forth above, the Court finding that the ends of justice served by taking such action outweigh the best interests of the public and the defendant in a speedy trial.

IT IS SO ORDERED.

Dated: August 20, 2024

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE